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August 28, 1995

EX PARTE OR LATE FILED

HAND DELIVERED

William F. Caton
Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Re: Ex Parte Presentation in RM No. 8658

Dear Mr. Caton:

Pursuant to Section 1.1206(a) of the Commission's Rules, this letter is to advise you that on Friday, July 25, 1995, the GSM MoU Association, represented by Gretel Holcomb Hoffman, Kathleen Abernathy of AirTouch, and Gary M. Epstein and Teresa D. Baer of Latham & Watkins, met with John Cimko, Dan Phythyon, Michael Buas, Steve Sharkey, Nancy Boocker, and Stanley Wiggins of the Federal Communications Commission to discuss issues relating to the compatibility of hearing aids with wireless technology. A copy of the written material presented to the above-mentioned Commission officials is attached hereto.

An original and one copy of this letter and attachments are submitted herewith.

Very truly yours,

Teresa D. Baer
Teresa D. Baer

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Enclosures

LATHAM & WATKINS

William F. Caton
Acting Secretary
Federal Communications Commission
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cc: John Cimko-WTB
Dan Phythyon
Michael Buas
Steve Sharkey- (6)
Nancy Boocker vT
Stanley Wiggins

HEARING AID COMPATIBLE WIRELESS TELEPHONES

GSM MOU ASSOCIATION

AUGUST 1995

■ ***GSM MoU's Interest in this Proceeding***

- **A worldwide association of GSM operators and regulators from 77 countries, covering over 7 million subscribers.**
- **Members have not experienced incompatibility problems.**
- **Takes incompatibility claims seriously and has been following the hearing aid issue closely.**
 - ▶ **Members have funded the studies cited in this proceeding.**
 - ▶ **Participates in joint efforts to address potential problems.**
- **Members, such as AirTouch, are committed to ensuring user-friendly technology.**

■ ***The Evidence***

- **No evidence that GSM devices cause serious incompatibility problems with hearing aids in Europe.**
 - ▶ **All digital devices create some interference.**
 - ▶ **Higher power, lower frequency GSM systems in Europe and the Pacific Rim have resulted in few, if any, complaints.**
 - ▶ **Studies show that the vast majority of problems relate to older, poorly shielded hearing aids.**
 - ▶ **EU's EMC Directive requiring shielding has reduced, if not altogether eliminated, GSM interference with hearing aids in Europe.**

■ *The Evidence*

- **No evidence that GSM will be a problem in the U.S.**
 - ▶ **Hear-It Now's claims are speculative.**
 - ▶ **Since the studies test units operating at higher power and lower frequency than the systems planned for the U.S., any problem will be even more minimal here than in Europe.**
 - ▶ **As PCS becomes widespread over the next few years, most hearing aid wearers will be replacing their hearing aids in the ordinary course with better shielded hearing aids.**

■ ***Inter-Industry Cooperation***

- **We recognize our responsibility to develop appropriate solutions to problems that may arise.**
- **We are actively engaged in efforts to explore and resolve these claims.**
 - ▶ **Studies**
 - ▶ **Center for the Study of Wireless Electromagnetic Compatibility at University of Oklahoma**
 - ▶ **GSM MoU's joint efforts with EHIMA, ETSI, manufacturers, industry groups, HIA, and others.**

■ *Possible FCC Actions*

- Due to the lack of evidence of a U.S. problem, and the wireless industry's efforts to address claims of potential interference, FCC action is not necessary at this time.
- But we recognize that the FCC cannot and should not ignore these important issues.
- Whatever the FCC does, it should avoid getting in the middle of a competitive battle between PCS manufacturers trying to be the first to get to market in the U.S.

■ *Possible FCC Actions*

- **Since there is no evidence and the wireless industry already is addressing the claims, informal action is appropriate.**
 - ▶ **Wait for the results of the University of Oklahoma study.**
 - ▶ **Options include convening a roundtable or holding an en banc hearing.**
- **An NOI would involve the FCC deeply in setting standards.**

■ *Possible FCC Actions*

- **An NPRM would present problems.**
 - ▶ **Inconsistency with the FCC's approach to PCS.**
 - ▶ **Risk of "ossifying" PCS standards.**
 - ▶ **Risk of delay in deploying PCS.**
 - ▶ **Deter affected industry from attempting to reach mutually acceptable solutions to potential problems.**
 - ▶ **Open door to becoming involved in numerous other technology disputes.**

GSM MoU Association

Structure:

Chairman				
Advisory Board		Deputy Chairman		Plenary
Regional Groups				
Terminals Working Group	Service Experts Rapporteur Group	Transferred Account Data Interchange Group	Billing & Accounting Rapporteur Group	Security Group & Fraud Forum
International Roaming Experts Group	Legal & Regulatory Group	Market & Planning	EMC; Public Health/Safety & Environment	3rd Generation Interest Group
Permanent Secretariat		Technical Executive		

GSM MoU Association

Objective

The promotion and evolution of the GSM 900, DCS 1800, and DCS 1900 systems and the GSM platform:

- for international roaming;
- for the provision of standardized services (e.g., voice, data, multimedia, etc.)
- as the core of other systems (e.g., PCS, UMTS, FPLMTS, Satellite, DECT, etc.) employing different wireless access methods (e.g., TDMA, CDMA, etc.); and
- as the core of new applications (e.g., traffic telematics, etc.)

through the further development of standards, specifications and agreements relating to:

- mobile stations;
- SIM cards;
- signalling (e.g., MAP, INAP, etc.);
- billing and accounting systems;
- services;
- security systems, voice coders, EMC;
- relevant laws and regulations (e.g., telecommunications, competition, health, safety, environment, etc.); and
- fraud prevention

via Member's support, participation, consultation and lobbying in the Association and in such groups as SMG, ITU and EU.

COUNTRIES WHERE AIRTOUCH EMPLOYS GSM
8/23/95

Countries where GSM is currently in use:

- Belgium
- Germany
- Portugal
- Sweden

Countries where license obtained and GSM-based system will be operational by 1/1/96:

- Italy
- Spain